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| Response to Missing Requirements Under 35 USC § 371 | Attorney Docket No.: JAMES117.001APC First Named Inventor: Rex Allan Mason Int'l Application No.: PCT/NZ2004/00259 US Application No.: 10/576,705 Entered National Phase: April 20, 2006 Title: ANTI FOAMING DEVICE |
| Direct all correspondence to Customer No.: 20995 | Page 1 of 2 |

Mail Stop PCT
United States Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

7/17/07

(Date)

Thomas R. Arno, Reg. No. 40,490

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated March 20, 2007.
- (X) An Oath or Declaration signed.
- (X) Petition Under 37 C.F.R. Section 1.47(b).
- (X) Statement of Facts with eleven exhibits.
- (X) Return prepaid postcard.

FILING FEES NOT YET PAID:

| FEE CALCULATION | | | | |
|-------------------|-------------------|--------------|----------------------|-------|
| FEE TYPE | | LARGE FEE | CALCULATION | TOTAL |
| Late Oath/Decl. | 37 CFR § 1.492(h) | 1617 (\$130) | | \$65 |
| Petition Fee | | | | \$200 |
| 2 Month Extension | | | | \$225 |
| | | | SUB TOTAL | \$490 |
| | | | TOTAL FEE DUE | \$490 |

07/20/2007 LLANDGRA 00000030 10576705

01 FC:2617
02 FC:2252

**Response to Missing
Requirements Under
35 USC § 371**

Attorney Docket No.: JAMES117.001APC
First Named Inventor: Rex Allan Mason
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Page 2 of 2

A check in the amount of **\$490** is enclosed to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.



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Attorney of Record
Customer No. 20,995
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4019123
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UNITED STATES PATENT AND TRADEMARK OFFICE

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|---|-----------------------|-------------------------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/576,705 | Rex Allan Mason | JAMESI17.001APC |
| | | INTERNATIONAL APPLICATION NO. |
| | | PCT/NZ04/00259 |
| | | I.A. FILING DATE PRIORITY DATE |
| | | 10/15/2004 10/21/2003 |
| CONFIRMATION NO. 2092 | | |
| 371 FORMALITIES LETTER | | |
|  *OC000000022960297* | | |

Date Mailed: 03/20/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/20/2006
- Copy of the International Search Report filed on 04/20/2006
- Copy of IPE Report filed on 04/20/2006
- Preliminary Amendments filed on 04/20/2006
- Information Disclosure Statements filed on 07/24/2006
- Small Entity Statement filed on 04/20/2006
- Request for Immediate Examination filed on 04/20/2006
- U.S. Basic National Fees filed on 04/20/2006
- Priority Documents filed on 04/20/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 2 - OFFICE COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/576,705 | PCT/NZ04/00259 | JAMES117.001APC |

FORM PCT/DO/EO/905 (371 Formalities Notice)